

# COUNCIL COMING ATTRACTIONS



**November 1, 2016**

**Parental Leave, Food Allergy Awareness Training, Subdivision Staging Policy  
and Development Impact Taxes**



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/council/packet/index.html>.


Also the Council meeting schedule may change from time to time. The current Council agenda can always be viewed at:

[http://www.montgomerycountymd.gov/council/resources/files/agenda/col/current\\_agenda.pdf](http://www.montgomerycountymd.gov/council/resources/files/agenda/col/current_agenda.pdf).

The Nov. 1 Council meeting will begin at 9:30 a.m. with two proclamation presentations.

- ❖ Councilmember Riemer will present a proclamation to recognize Montgomery Parks Stream Clean Up Day.
- ❖ Councilmember Rice will present a proclamation to recognize Angela Wu as the first honorary "Councilmember for a Day" in Montgomery County.

Other Council highlights are listed below.

-  Expedited Bill 45-16, Contracts and Procurement-Minority-Owned Businesses-Sunset Date-Amendments  
The Council is scheduled to introduce Expedited Bill 45-16. The GO Committee is the lead sponsor. A public hearing is scheduled for Nov. 18 at 1:30 p.m. The staff report can be viewed at: [http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=136&event\\_id=4996&meta\\_id=127641](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4996&meta_id=127641).

Expedited Bill 45-16 would extend the sunset date for the County's minority owned business purchasing program from Dec. 31 2016 to Dec. 31 2019. The Council created the Minority Owned and Local Small Business Task Force and the Procurement Policies and Regulations Task Force to study the County's Minority, Female and Disabled Owned Business (MFD) Program and the overall procurement system. Both task forces completed reports that were presented to the Council in Sept. 2015. The GO Committee reviewed recommendations from both task forces and made several recommendations to the Office of Procurement. The Committee also agreed to extend the sunset date for the MFD Program to Dec. 31, 2019, with the understanding that the Executive should complete a new study prior to the extended sunset date.



**Bill 32-16, Human Rights and Civil Liberties-Earned Sick and Safe Leave-Use of Earned Sick and Safe Leave-Parental Leave**

The Council is scheduled to vote on Bill 32-16. The HHS Committee recommends enactment with an amendment. Councilmember Hucker is the lead sponsor. Council Vice President Berliner and Councilmembers Katz, Navarro and Elrich are cosponsors. The staff report can be viewed:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=136&event\\_id=4996&meta\\_id=127645](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4996&meta_id=127645).

Bill 32-16 would add related purposes for which the use of sick and safe leave will be permitted.

The bill would allow the use of sick and safe leave:

- for the birth of a child;
- for the placement of a child with the employee for adoption or foster care; or
- for the care of a newborn, newly adopted or newly placed child within one year of birth, adoption or placement.



**Bill 33-16, Eating and Drinking Establishments-Food Allergen Awareness Training**

The Council is scheduled to vote on Bill 33-16. The HHS Committee recommends enactment. The HHS Committee also recommends approval of a resolution to adopt this bill as a Board of Health Regulation. Councilmember Riemer is the lead sponsor. Councilmembers Leventhal, Katz and Rice are cosponsors. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=136&event\\_id=4996&meta\\_id=127647](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4996&meta_id=127647).

Bill 33-16 would require certain employees of eating and drinking establishments to complete a food allergen awareness training course and pass a test. The bill also would require the Department of Health and Human Services to provide a list of approved online and in-person food allergen awareness training courses.



**Resolution to adopt the 2016-2020 Subdivision Staging Policy**

The Council is scheduled to hold worksessions on the resolution to adopt the 2016-2020 Subdivision Staging Policy (SSP) on Nov. 1 and 3 with straw votes expected on Nov. 3. The staff report will be available on Oct. 31. The latest version of the County's SSP, formerly called the "Growth Policy," is being updated. The goal of the SSP is to ensure that there is adequate public facilities infrastructure, schools and roads associated with new development and growth. The SSP update is an opportunity to revise the rules for how the County grows over the next four years. The County Code requires final action on the SSP by Nov. 15; otherwise, the 2012-2016 SSP would remain in effect. Since there are several policy linkages between the SSP and Bill 37-16 (discussed below), both measures should be acted on at the same time. The PHED Committee held several meetings to review the SSP (Sept. 19 and 26 and Oct. 10, 17, 18 and 25). The Council held worksessions on the SSP on Oct. 25.



**Bill 37-16, Taxation-Development Impact Tax-Transportation and Public Schools Improvements-Amendments**

The Council is scheduled to hold worksessions on Bill 37-16 on Nov. 1 and 3 with straw votes expected on Nov. 3. The staff report will be available on Oct. 31. Council President Floreen is the lead sponsor, at the request of the Planning Board. The County Code requires the Planning Board to submit a recommended SSP to the Council that must include guidelines for the administration of laws and regulations which affect the adequacy and timing of public facilities

needed to support growth and development. The GO Committee reviewed Bill 37-16 on Sept. 26 and Oct. 6, 20 and 27.

- The Planning Board submitted a recommended 2016 SSP on July 27, 2016. The Planning Board recommended changes to the County law concerning the development impact tax for transportation and public school projects. Bill 37-16 would implement the Planning Board's recommended amendments to the impact tax laws. Bill 37-16 would:
  - ✓ modify the method of calculating the transportation and public school impact tax;
  - ✓ create new transportation tax districts associated with policy area categories;
  - ✓ adjust the transportation impact tax for residential uses based on non-auto driver mode share (NADMS) associated with each tax district;
  - ✓ adjust the transportation impact tax for non-residential uses based on vehicle miles of travel (VMT) associated with each tax district;
  - ✓ authorize an adjustment to the transportation impact tax for providing parking below the minimum required under Chapter 59; and
  - ✓ modify the public school impact tax payable for property located in a former enterprise zone.

#### Resolution to Establish Development Impact Tax Rates for Transportation and Public School Improvements

The Council is scheduled to hold worksessions on the resolution to establish development impact tax rates on Nov. 1 and 3 with straw votes expected on Nov. 3. The staff report will be available on Oct. 31. The resolution as introduced contains the impact tax rates proposed by the Planning Board that are also included in Bill 37-16 as introduced. Any testimony that was submitted concerning the proposed impact tax rates for the September 13 public hearing on Bill 37-16 will be considered by the Council when deliberating on the impact tax rates in the resolution.

- The Council may increase or decrease the rates proposed in the resolution.
- Bill 37-16 includes revised impact tax rate tables proposed by the Planning Board as part of the Subdivision Staging Plan. At the September 22 worksession on Bill 37-16, the GO Committee recommended removing the impact tax tables from the legislation and approving the impact tax rates by resolution.
- Currently the impact tax tables are adopted in the law and then are revised by resolution every two years. After the first revision of the tax rates by resolution, the tax tables contained in the law are no longer accurate.

#### Supplemental appropriation to the County Government's FY17 Capital Budget Department of General Services-\$449,250 for Energy Conservation (Source: State Grant)

The Council is scheduled to vote on a \$449,250 supplemental appropriation for energy conservation. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=136&event\\_id=4996&meta\\_id=127661](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4996&meta_id=127661).

The supplemental appropriation would fund improvements at the County's Correctional Facility and the Public Safety Headquarters to develop combined heat and power systems. The funding was received from the Maryland Energy Administration and will augment planned projects to enable both facilities to operate independently of the utility grid while containing long-term costs.

#### Supplemental appropriation to the County Government's FY17 Operating Budget, Department of Finance-\$500,000 for Economic Development Fund (Source: General Fund Undesignated Reserves) The Council is scheduled to vote on a \$500,000 supplemental appropriation to fund a conditional grant offer that was accepted by WeddingWire. The staff report can be viewed at:

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=136&event\\_id=4996&meta\\_id=127663](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4996&meta_id=127663).

The existing unencumbered resources in the Economic Development Fund are insufficient to fund this project. WeddingWire employs more than 650 employees worldwide and 341 in the County.

As provided in the executed Economic Development Fund Agreement, the company will remain in the County and renew its lease for office space in Chevy Chase. WeddingWire also will make at least \$3 million in additional capital investments and add 170 full-time jobs in the County.